

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,

**ORDER TO SHOW
CAUSE**

-against-

04-CR-380

HARVEY HOWELL,

Defendant.

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STERLING JOHNSON, JR., Senior United States District Judge

In light of the recent amendments to United States Sentencing Guideline § 2D1.1, the government is directed to show cause by February 24, 2012 why this court should not resentence the defendant pursuant to section 3582(c)(2) of Title 18 of the United States Code. See 18 U.S.C. § 3582(c)(2) (a sentencing court may modify a term of imprisonment after its imposition if “in the case of a defendant who has been sentenced to a term . . . based on a sentencing range that has subsequently been lowered by the Sentencing Commission . . .”); U.S. Sentencing Guidelines Manual §2D1.1; U.S. Sentencing Guidelines Manual § 1B1.10 policy statement. See also Kimbrough v. United States, 128 S. Ct. 558 (2007); Gall v. United States, 128 S. Ct. 586 (2007).

Any response to the government's submission shall be filed on or before March 16, 2012.

Advice of probation is respectfully requested.

Dated: January 15, 2012
Brooklyn, New York

/s/
Sterling Johnson, Jr., U.S.D.J.